
By: **Senator Ruben**

Introduced and read first time: February 13, 2001

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Tobacco Product Vending Machines - Conversion or Removal for Scrap**

3 FOR the purpose of allowing for a certain conversion of certain tobacco product
4 vending machines until a certain date, or requiring that the vending machines
5 be removed and scrapped by the Comptroller of the Treasury; prohibiting the
6 owners or operators of tobacco product vending machines that are scrapped from
7 being reimbursed for a certain value; and generally relating to the conversion or
8 removal and scrapping of certain tobacco product vending machines.

9 BY repealing and reenacting, without amendments,
10 Article - Business Regulation
11 Section 16-3A-01 and 16-3A-02
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 2000 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Business Regulation
16 Section 16-3A-03
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 2000 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Business Regulation**

22 16-3A-01.

23 (a) In this subtitle the following words have the meanings indicated.

24 (b) "Owner" means the person that owns or operates an establishment in
25 which a vending machine is located.

26 (c) "Tobacco product" means any substance containing tobacco, including
27 cigarettes, cigars, smoking tobacco, snuff, or smokeless tobacco.

1 (d) "Vending machine" means any mechanical, electronic, or similar
2 self-service device that on insertion of a coin, coins, token, or other similar means
3 dispenses a tobacco product.

4 16-3A-02.

5 A person may not sell or dispense or offer to sell or dispense a tobacco product
6 through a vending machine in the State, unless the vending machine:

7 (1) is located in an establishment that minors are prohibited by law from
8 entering or an establishment that is a bona fide fraternal or veterans organization; or

9 (2) can only be operated with a token, card, or similar device that an
10 individual can only obtain or purchase from the owner or an employee or agent of the
11 owner.

12 16-3A-03.

13 (A) A person who violates this subtitle is guilty of a misdemeanor and on
14 conviction is subject to a fine not exceeding \$100.

15 (B) (1) A VENDING MACHINE THAT IS OPERATED IN VIOLATION OF THIS
16 SUBTITLE:

17 (I) MAY BE CONVERTED TO DISPENSE A SERVICE OR PRODUCT
18 OTHER THAN A TOBACCO PRODUCT, IF THE CONVERSION IS COMPLETED BY JULY 1,
19 2001; OR

20 (II) SHALL BE REMOVED AND SCRAPPED BY THE COMPTROLLER OF
21 THE TREASURY.

22 (2) THE OWNER OR OPERATOR OF A VENDING MACHINE THAT IS
23 SCRAPPED MAY NOT BE REIMBURSED FOR THE VALUE OF THE MACHINE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2001.